

## PLANNING COMMISSION MEETING MINUTES

On this the 17<sup>th</sup> day of December 2014, the Planning Commission of the City of Rosenberg, Fort Bend County, Texas, met in a regular meeting at the Rosenberg City Hall Council Chamber, 2110 4<sup>th</sup> Street, Rosenberg, Texas 77471.

### COMMISSIONERS PRESENT

Pete Pavlovsky	Planning Commission Chairperson
Lester Phipps, Jr.	Planning Commission Vice Chairperson
Wayne Poldrack	Planning Commission Secretary
Alicia Casias	Planning Commissioner
Mike Parsons	Planning Commissioner
James Urbish	Planning Commissioner

### STAFF PRESENT

Cynthia McConathy	Councilor, At Large Position Two
Travis Tanner	Executive Director of Community Development
Janet Eder	Secretary II

### OTHERS PRESENT

Rene Rodriguez	LJA Engineering, Inc. (Bonbrook Plantation North, Sec. 14)
Jose Perez	BGE/Kerry R. Gilbert & Associates (Cottonwood Three-C)
Lindsay Reyes	BGE/Kerry R. Gilbert & Associates (Cottonwood Three-C)
John Casias	Self, 1236 Louise, Rosenberg
Llarance Turner	Kelly R. Kaluza & Associates, Inc.
Tony Topping	Texas Masonry Council

### CALL TO ORDER

Chairperson Pavlovsky called the meeting to order at 4:00 p.m.

### AGENDA

#### 1. CONSIDERATION OF AND ACTION ON MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF NOVEMBER 19, 2014.

**Action Taken:** Commissioner Casias moved, seconded by Commissioner Parsons to approve the minutes of the Regular Planning Commission Meeting of November 19, 2014, as written. The motion carried by a vote of four "ayes" and two abstentions. **Ayes:** Commissioners Casias, Parsons, Poldrack, and Urbish. **Abstentions:** Chairperson Pavlovsky and Vice Chairperson Phipps.

#### 2. HOLD PUBLIC HEARING ON A PRELIMINARY PLAT OF MACER RESERVES, A SUBDIVISION OF 7.885 ACRES OF LAND BEING A PARTIAL REPLAT OF RESERVE "C" OF KWIKROSE COMMERCIAL PARK (SLIDE NO. 1436/A; PLAT RECORDS OF FORT BEND COUNTY, TEXAS) TOGETHER WITH A PORTION OF A CALL 5.00 ACRE TRACT OF LAND (FORT BEND COUNTY CLERK'S FILE NO. 2007074320), BOTH BEING IN THE HENRY SCOTT SURVEY, ABSTRACT NO. 83, AND BEING A REPLAT OF RESERVE "C" OF DEEDCO SUBDIVISION NO. 19 (SLIDE NO. 1357/A; PLAT RECORDS OF FORT BEND COUNTY, TEXAS) TOGETHER WITH A CALL 0.216 ACRE TRACT OF LAND (FORT BEND COUNTY CLERK'S FILE NO. 2003173704), BOTH BEING IN THE J.D. VERMILLION SURVEY, ABSTRACT NO. 341, ALL INCLUSIVE BEING IN THE CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 0 LOTS, 2 RESERVES, 1 BLOCK.

**Executive Summary:** This Agenda item consists of the required public hearing on the proposed Preliminary Plat of Macer Reserves. The Plat consists of 7.885 acres and two (2) nonresidential reserves. It is a partial replat of Kwikrose Commercial Park and Deedco Subdivision No. 19. The property is located on the west side of State Highway 36, north of its intersection with Rice Street. Further, it is located in the West Fort Bend Management District, which is noted on the Plat.

The Plat proposes to subdivide the 7.885 acres into two (2) reserves to accommodate future development of Reserve "A" (Reserve "B" has existing improvements on it). There are no issues with the proposed subdivision that

conflict with City ordinances. However, a public hearing is required for replats per state law and City ordinance. Therefore staff recommends that the Planning Commission hold the required public hearing on the Preliminary Plat of Macer Reserves before taking action on the Plat.

**Key Discussion:**

- Mr. Tanner presented the item and reviewed the Executive Summary.

**Chairperson Pavlovsky opened the public hearing at 4:05 p.m. After two calls for speakers, no one stepped forward. Chairperson Pavlovsky closed the public hearing at 4:05 p.m.**

3. **CONSIDERATION OF AND ACTION ON A PRELIMINARY PLAT OF MACER RESERVES, A SUBDIVISION OF 7.885 ACRES OF LAND BEING A PARTIAL REPLAT OF RESERVE "C" OF KWIKROSE COMMERCIAL PARK (SLIDE NO. 1436/A; PLAT RECORDS OF FORT BEND COUNTY, TEXAS) TOGETHER WITH A PORTION OF A CALL 5.00 ACRE TRACT OF LAND (FORT BEND COUNTY CLERK'S FILE NO. 2007074320), BOTH BEING IN THE HENRY SCOTT SURVEY, ABSTRACT NO. 83, AND BEING A REPLAT OF RESERVE "C" OF DEEDCO SUBDIVISION NO. 19 (SLIDE NO. 1357/A; PLAT RECORDS OF FORT BEND COUNTY, TEXAS) TOGETHER WITH A CALL 0.216 ACRE TRACT OF LAND (FORT BEND COUNTY CLERK'S FILE NO. 2003173704), BOTH BEING IN THE J.D. VERMILLION SURVEY, ABSTRACT NO. 341, ALL INCLUSIVE BEING IN THE CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 0 LOTS, 2 RESERVES, 1 BLOCK.**

**Executive Summary:** As previously discussed, the Preliminary Plat of Macer Reserves consists of 7.885 acres and two (2) nonresidential reserves. It is a partial replat of Kwikrose Commercial Park and Deedco Subdivision No. 19. The Plat is located on the west side of State Highway 36, north of its intersection with Rice Street, and in the West Fort Bend Management District.

The Plat proposes to subdivide the 7.885 acres into two (2) reserves to accommodate future development of Reserve "A" (Reserve "B" has existing improvements). As discussed, there are no issues with the proposed subdivision that conflict with City ordinances. Newly created reserves in the proposed subdivision will be subject to the West Fort Bend Management District's development standards as noted on the Plat.

There being no issues in conflict with City ordinances, staff recommends approval of the Preliminary Plat of Macer Reserves.

**Key Discussion:**

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Mr. Tanner stated that there is nothing to add to this item that was not covered in previous agenda item.
- Mr. Tanner recommend approval of the Preliminary Plat of Macer Reserves.
- Chairperson Pavlovsky inquired if there were any other questions.
- Commissioner Parsons inquired if there was any idea as to the land use.
- Mr. Tanner stated that two existing reserves to the north are being combined to make it more attractive for sale, and that it was previously discussed that the land would be used for office and warehouse development, but he is not certain of the type of development. Llarance Turner with Kelly Kaluza & Associates, Inc., may be able to tell more about specific plans for the tract of land.
- Commissioner Casias inquired about the access to the tract.
- Llarance Turner with Kelly R. Kaluza & Associates, Inc., spoke on behalf of Macer Reserves subdivision.
- Mr. Turner stated that the land does not have a designated use, but it will be used for commercial. Access to the subdivision is already provided through an existing access easement and driveway.
- Mr. Turner stated that public infrastructure is in place, including water, sanitary sewer and drainage.
- Mr. Turner asked if there were any other questions.
- Commissioner Pavlovsky thanked Mr. Turner for his presentation.
- Commissioner Poldrack asked Mr. Tanner what happens when property is only partially in the West Fort Bend Management District as far as the standards applying.
- Mr. Tanner replied that standards apply only to the improvements within the District and that the intent of staff is to work with property owners to reach a practical solution. Mr. Tanner stated that we have come across a few situations where part was in and part was out of the District.
- Commissioner Parsons commented that after 1000', a property owner does not have to comply.
- Mr. Tanner replied that Commissioner Parsons was correct.

**Action Taken:** Commissioner Parsons moved, seconded by Commissioner Poldrack to approve the Preliminary Plat of Macer Reserves, a subdivision of 7.885 acres of land being a partial replat of Reserve "C" of Kwikrose Commercial Park (Slide No. 146/A; Plat Records of Fort Bend County, Texas) together with a portion of a call 5.00 acre tract of land (Fort Bend County Clerk's File No. 2007074320), both being in the Henry Scott Survey, Abstract

No. 83, and being a replat of Reserve "C" of Deedco Subdivision No. 19 (Slide No. 1357/A; Plat Records of Fort Bend County, Texas) together with a call 0.216 acre tract of land (Fort Bend County Clerk's File No. 2003173704), both being in the J.D. Vermillion Survey, Abstract No. 341, all inclusive being in the City of Rosenberg, Fort Bend County, Texas; 0 lots, 2 reserves, 1 block. The motion carried unanimously.

**4. CONSIDERATION OF AND ACTION ON A FINAL PLAT OF BONBROOK PLANTATION NORTH SECTION FOURTEEN, A SUBDIVISION OF 23.506 ACRES OF LAND SITUATED IN THE WILEY MARTIN LEAGUE, ABSTRACT 56, FORT BEND COUNTY, TEXAS; 60 LOTS, 4 RESERVES (5.150 ACRES), 1 BLOCK.**

**Executive Summary:** The Final Plat of Bonbrook Plantation North Section Fourteen is located off of Reading Road, east of its intersection with Benton Road in the northwest part of Bonbrook Plantation. The proposed Plat contains 23.506 acres, 60 residential lots, and four (4) reserves consisting of 5.150 acres.

The proposed lots are a minimum of sixty feet (60') in width. This is in accordance with the revised Land Plan for Bonbrook Plantation, which the Planning Commission recently approved on August 20, 2014. The amended Land Plan was submitted to City Council as an Amendment to the Development Agreement (Exhibit "C") for their consideration on December 16, 2014.

In addition to the revised Land Plan, the Planning Commission approved the Preliminary Plat of this subdivision on October 15, 2014. The proposed Final Plat is not in conflict with any applicable regulations or with the approved Preliminary Plat. Staff recommends that the Planning Commission recommend approval to City Council of the Final Plat of Bonbrook Plantation North Section Fourteen.

**Key Discussion:**

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Poldrack inquired about the price range of the homes in the subdivision.
- Mr. Tanner replied that he was not sure of the price range.
- Commissioner Parsons inquired if this is the last section of Bonbrook.
- Mr. Tanner replied that Section 14 is the last section.

**Action Taken:** Commissioner Parsons moved, seconded by Commissioner Casias, to recommend approval to City Council of the Final Plat of Bonbrook Plantation North Section Fourteen, a subdivision of 23.506 acres of land situated in the Wiley Martin League, Abstract 56, Fort Bend County, Texas; 60 lots, 4 reserves (5.150 acres), 1 block. The motion carried unanimously.

**5. CONSIDERATION OF AND ACTION ON A FINAL PLAT OF COTTONWOOD SECTION THREE-C, A SUBDIVISION OF 8.368 ACRES OF LAND LOCATED IN THE S.A. STONE SURVEY NO. 10, A-392, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 41 LOTS, 1 RESERVE, 3 BLOCKS.**

**Executive Summary:** The Final Plat of Cottonwood Section Three-C consists of 8.368 acres and 41 residential lots. It is located off of Barton Creek and Pease River Lanes, immediately southwest of Cottonwood Section Three-B. The Plat is within the City Limits and located in Fort Bend County MUD No. 148.

All proposed lots are fifty feet (50') in width and a minimum of 6,000 square feet in size. The Land Plan was approved before the current standards relating to lot size. The Plat conforms to the approved Land Plan dated April 2003.

Previously, the Planning Commission has inquired about the overall number of lots in the Cottonwood development, the number that have been developed, and the number of lots remaining. The Land Plan for Cottonwood, dating back to 2003, provided for 629 total lots, most of which are fifty feet (50') in width. At this time 353 lots (or 56 percent) have been recorded. Looking at it another way, 438 lots (or 70 percent) have either been recorded or approved by the Planning Commission. Therefore approximately 191 lots (or 30 percent) remain to come before the Commission.

The Planning Commission approved the Preliminary Plat of this subdivision on November 19, 2014. There being no conflicts with applicable regulations or with the approved Preliminary Plat, staff recommends that the Commission recommend approval to City Council of the Final Plat of Cottonwood Section Three-C.

**Key Discussion:**

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Mr. Tanner stated that the Planning Commission inquired about the number of lots developed in the Cottonwood development, as well as the number of lots remaining. Some research, dating back to 2003, was done prior to the meeting, and we found that the land plan provided for 629 total lots, most of which are 50' in width, which complied with the standards in effect at the time. There are 353 lots (56%) that have

been recorded, 438 lots (70%) recorded and/or approved and, therefore, 191 lots (30%) left for future use. Mr. Tanner commented that hopefully this will provide a better idea of the development.

- Mr. Tanner stated that the Planning Commission approved the Preliminary Plat in November and there were no conflicts, therefore staff recommends approval of the Final Plat of Cottonwood Section Three-C.
- Commissioner Poldrack inquired about the price range of the homes.
- Mr. Tanner was not aware of the price range.

**Action Taken:** Commissioner Casias moved, seconded by Vice Chairperson Phipps, to recommend approval to City Council of the Final Plat of Cottonwood Section Three-C, a subdivision of 8.368 acres of land located in the S.A. Stone Survey No. 10, A-392, City of Rosenberg, Fort Bend County, Texas; 41 lots, 1 reserve, 3 blocks. The motion carried by a vote of five "ayes" and one abstention. **Ayes:** *Chairperson Pavlovsky, Vice Chairperson Phipps, Commissioners Casias, Parsons, and Urbish.* **Abstention:** *Commissioner Poldrack.*

6. **CONSIDERATION OF AND ACTION ON A FINAL PLAT OF ROSENBERG 36 INDUSTRIAL PARK, A SUBDIVISION OF 18.214 ACRES OF LAND BEING A PARTIAL REPLAT OF LOT NO. 17 OF ROSENBERG FARMS SUBDIVISION (VOLUME 3, PAGE 575; DEED RECORDS OF FORT BEND COUNTY, TEXAS, AND VOLUME 4, PAGE 25; PLAT RECORDS OF FORT BEND COUNTY, TEXAS) BEING A 1.468 ACRE TRACT OF LAND (FORT BEND COUNTY CLERK'S FILE NO. 2014103215) TOGETHER WITH THE REMAINDER OF A CALL 17.135 ACRE TRACT (FORT BEND COUNTY CLERK'S FILE NO. 2014072299) AND WITH A CALL 0.754 ACRE TRACT (FORT BEND COUNTY CLERK'S FILE NO. 2012014590), ALL BEING IN THE HENRY SCOTT SURVEY, ABSTRACT NO. 83, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 0 LOTS, 2 RESERVES, 1 BLOCK.**

**Executive Summary:** The Final Plat of Rosenberg 36 Industrial Park consists of 18.214 acres and two (2) nonresidential reserves and is a partial replat of Lot No. 17 of Rosenberg Farms Subdivision. The Plat is located on the south side of State Highway 36, northwest of its intersection with U.S. Highway 90A, and in the West Fort Bend Management District.

The Plat proposes to subdivide the 18.214 acres into two (2) reserves to accommodate a new site development on Reserve "B" and future development of Reserve "A." There are no issues with the proposed subdivision that conflict with City ordinances. Newly created reserves in the proposed subdivision will be subject to the West Fort Bend Management District's development standards as noted on the plat.

Following a public hearing, the Planning Commission approved the Preliminary Plat of this subdivision on October 15, 2014. There being no issues in conflict with City ordinances or with the approved Preliminary Plat, staff recommends that the Commission recommend approval to City Council of the Final Plat of Rosenberg 36 Industrial Park.

**Key Discussion:**

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Mr. Tanner stated that there are no issues with the subdivision that conflict with City ordinances. It is, however, subject to the West Fort Bend Management District development standards. The plat does include a note for notification purposes.
- Mr. Tanner stated that after the Public Hearing in October 2014, the Planning Commission approved the Preliminary Plat of the subdivision. Staff recommends approval to City Council of the Final Plat of Rosenberg 36 Industrial Park.
- Commissioner Parsons inquired about the use of the land.
- Mr. Tanner commented that Mr. Turner could better address this question.
- Mr. Turner stated that Reserve B will be used for a probation office and Reserve A will be used for future commercial development. At this time, Reserve A does not have a user.
- Commissioner Pavlovsky inquired about the access across the railroad tracks.
- Mr. Turner replied that there would be no such access.

**Action Taken:** Commissioner Poldrack moved, seconded by Vice Chairperson Phipps, to recommend approval to City Council of the Final Plat of Rosenberg 36 Industrial Park, a subdivision of 18.214 acres of land being a partial replat of Lot No. 17 of Rosenberg Farms Subdivision (Volume 3, Page 575; Deed Records of Fort Bend County, Texas, and Volume 4, Page 25; Plat Records of Fort Bend County, Texas) being a 1.468 acre tract of land (Fort Bend County Clerk's File No. 2014103215) together with the remainder of a call 17.135 acre tract (Fort Bend County Clerk's File No. 2014072299) and with a call 0.754 acre tract (Fort Bend County Clerk's File No. 2012014590), all being in the Henry Scott Survey, Abstract No. 83, City of Rosenberg, Fort Bend County, Texas; 0 lots, 2 reserves, 1 block. The motion carried unanimously.

**7. REVIEW AND DISCUSS A PRESENTATION BY PARAGON OUTLETS, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

**Executive Summary:** Representatives of Paragon Outlets will make a presentation to the Commission regarding the future outlet shopping center. No action or approvals by the Planning Commission are being requested at this time. This is an opportunity for the Commission to become familiar with a project of this scope, which will have to go through processes (such as platting, etc.) with the Commission in the future. Paragon Outlets has requested this opportunity in conjunction with City staff.

**Key Discussion:**

- Mr. Tanner stated that the Paragon representative was ill and was unable to make the meeting, therefore the item will be postponed to a future agenda.
- Commissioner Parsons inquired about the nature of the project.
- Mr. Tanner replied it is for an outlet mall.

**No action was taken.**

**8. CONSIDERATION OF AND ACTION ON REQUESTS FOR FUTURE AGENDA ITEMS AND STAFF REPORT REGARDING THE FOLLOWING.**

**Executive Summary:** The Staff Report of Current Activities consists of projects that staff is currently working on as well as other updates that are relevant to the Planning Commission. This item also allows the Planning Commission the opportunity to request that items be placed on future agendas. At the meeting, staff will provide an overview of recent activities related to the Comprehensive Plan update.

**Key Discussion:**

- Mr. Tanner provided an update on the Comprehensive Plan.
- Commissioner Parsons inquired about getting additional information provided in the future on the Comprehensive Plan website.
- Mr. Tanner replied that more information could be provided.
- Commissioner Poldrack inquired about the progress of residential street widths.
- Mr. Tanner stated that a meeting with developers would likely be mid to late January.
- Commissioner Poldrack inquired about the progress of road impact fees.
- Mr. Tanner replied that the consultant for the Comprehensive Plan would be looking at similar measures, such as concurrency standards.


**No action was taken.**

**9. ANNOUNCEMENTS.**

No announcements at this time.

**10. ADJOURNMENT.**

There being no further business, Chairperson Pavlovsky adjourned the Rosenberg Planning Commission meeting at 4:28 p.m.

  
Janet Eder  
Secretary II